

1044 U.S. PTO  
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JC986 U.S. PTO

# UTILITY PATENT APPLICATION TRANSMITTAL

(New Nonprovisional Applications Under 37 CFR § 1.53(b))

Attorney Docket No.  
007.0191.01

## TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is the patent application of ( ) application identifier or (X) first named inventor, Carol Colrain, entitled System And Method For Providing Cooperative Resource Groups For High Availability Applications, for a(n):

- (X) Original Patent Application.  
(X) A statement claiming priority under 35 USC § 119(e) has been added to the specification.
- ( ) Continuing Application (prior application not abandoned):  
( ) Continuation ( ) Divisional ( ) Continuation-in-part (CIP)  
of prior application No: \_\_\_\_\_ Filed on: \_\_\_\_\_  
( ) A statement claiming priority under 35 USC § 120 has been added to the specification.

### Enclosed are:

- (X) Specification; 24 Total Pages. (X) Drawing(s); 7 Total Sheets.  
(X) Oath or Declaration:  
(X) A Newly Executed Declaration:  
( ) Signed. (X) Unsigned. ( ) Partially Signed.  
( ) A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).  
( ) Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated herein by reference.  
( ) Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).  
(X) Formal Figures Transmittal Letter (X) Return Receipt Postcard.  
( ) Assignment and Recordation. (X) A Check in the amount of \$1256 for the Filing Fee.  
(X) IDS Form 1449 and Transmittal.  
(X) 1 Published Reference.  
(X) A Duplicate Copy of this Form for Processing Fee Against Deposit Account.  
(X) Request and Certification Under 35 USC 122(b)(2)(B)(i)  
( ) Other: \_\_\_\_\_

| CLAIMS AS FILED                           |           |           |         |            |
|---|-----------|-----------|---------|------------|
| FOR                                       | NO. FILED | NO. EXTRA | RATE    | FEE        |
| Total Claims                              | 44        | 24        | \$18.00 | \$ 432.00  |
| Independent Claims                        | 4         | 1         | \$84.00 | \$ 84.00   |
| Multiple Dependent Claims (if applicable) |           |           |         | 0.00       |
| Assignment Recording Fee                  |           |           |         | \$0.00     |
| Basic Filing Fee                          |           |           |         | \$740.00   |
| Total Filing Fee                          |           |           |         | \$1,256.00 |

Charge \$ \_\_\_\_\_ to Deposit Account 501144 pursuant to 37 CFR § 1.25. At any time during the pendency of this application, please charge any fees required or credit any overpayment to this Deposit Account.

Respectfully submitted,  
By: Patrick J.S. Inouye  
Patrick J.S. Inouye, Esq., Attorney of Record  
Reg. No. 40297

Date: February 28, 2002

### Correspondence Address:

Law Offices of Patrick J.S. Inouye  
810 Third Avenue Suite 258  
Seattle, WA 98104  
Phone: (206) 381-3900  
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I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

By: Casey Leichter  
Typed Name: Casey Leichter  
Express Mail Label No.: EV029319921US  
Date of Deposit: February 28, 2002

22895  
PATENT TRADEMARK OFFICE

|  |                      |  |
|--|----------------------|--|
| <b>REQUEST AND CERTIFICATION<br/>UNDER<br/>35 U.S.C. 122(b)(2)(B)(i)</b> | First Named Inventor | Carol Colrain  |
|  | Title                | System And Method For Providing Cooperative Resource Groups For High Availability Applications |
|  | Atty Docket Number   | 007.0191.01  |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

**FEB 28 2002**

Date

Signature

Patrick J.S. Inouye, Esq.

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Colrain et al.

Application No.: Unassigned

Filed: February 28, 2002

Title: System And Method For Providing  
Cooperative Resource Groups For  
High Availability Applications

Group Art Unit:  
Unassigned

Examiner:  
Unassigned

Attorney Docket No.: 007.0191.01

Assistant Commissioner for Patents  
Washington, D.C. 20231

DRAWING TRANSMITTAL LETTER

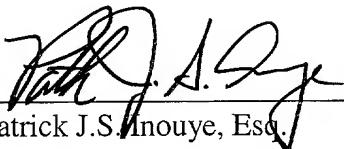
Sir:

Enclosed herewith please find:

- ( ) \_\_\_\_\_ sheets of redlined drawing(s) which indicate proposed changes to the drawing(s). Upon approval of these proposed changes, formal drawing(s) will be submitted.
- ( ) \_\_\_\_\_ sheets of corrected formal drawing(s), as required by the Notice of Patent Drawings Objection (PTO-948) which accompanied the Office Action dated \_\_\_\_\_.
- ( ) \_\_\_\_\_ sheets of corrected formal drawing(s), as required by the Notice of Patent Drawing(s) Objection (PTO-948) and approved in the Notice of Allowability dated \_\_\_\_\_.
- ( X ) 7 sheets of formal drawings, submitted with the enclosed Utility Patent Application.

Examiner's approval of the entry of these drawings is respectfully requested.

Respectfully Submitted,

By   
Patrick J.S. Anouye, Esq.



22895

PATENT TRADEMARK OFFICE

Attorney/Agent for Applicant(s)  
Reg. No. 40297

Date: February 28, 2002

Telephone No.: (206) 381-3900